

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

WILLIE JAMES TERRELL,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CV411-161
	)	
WARDEN DENNIS BROWN,	)	
	)	
Respondent.	)	

**ORDER**

Willie James Terrell is currently confined in the Augusta State Medical Prison, which is located within this District. *See* doc. 2 at 2. He has filed a 28 U.S.C. § 2254 petition attacking a state conviction from Fulton County, Georgia, which is located in the Northern District of Georgia. Doc. 1.<sup>1</sup> While both districts have “concurrent jurisdiction” to consider his petition, 28 U.S.C. § 2241(d), the court where the habeas petition is filed has the discretion to transfer the petition to any other district that has the power to hear the case. *Id.*

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<sup>1</sup> This is the second petition he has filed on the same grounds. *See Terrell v. Brown*, CV411-155, doc. 1 (S.D. Ga. Jun. 20, 2011); *see also id.* doc. 4 (S.D. Ga. Jun. 27, 2011 (venue transfer)).

It is the long-standing policy and practice in the United States District Courts in this Circuit to cause all such petitions to be filed in or transferred to the district where the state prisoner was convicted, since that will be the most convenient forum. *Eagle v. Linahan*, 279 F.3d 926, 933 n. 9 (11th Cir. 2001) (“The practice of the district courts in Georgia is to transfer habeas petitions filed in the district court where the petitioner is confined to the district where the petitioner was convicted.”); *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970) (“The purpose of [§ 2241(d)], of course, is to provide a more convenient forum for witnesses.”). This practice also fosters an equitable distribution of habeas cases between the districts of this state.

Having considered the interest of justice, the Court concludes that the Northern District would be the better forum for resolving this matter. Hence, the Clerk is **DIRECTED** to transfer this case to the Northern District of Georgia for all further proceedings. *See* 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice).

**SO ORDERED** this 28th day of June, 2011.

  
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UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA